

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.489 of 1993 (O&M)
Date of Decision: May 15, 2015

United India Insurance Company Ltd.

...Appellant

Versus

Krishna and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Neeraj Khanna, Advocate
for the appellant.

INDERJIT SINGH, J.

Appellant United India Insurance Company Ltd. has filed this appeal against Krishna and others (claimants), Narender Singh owner and Ved Parkash driver of offending vehicle, challenging the impugned Award dated 01.12.1992 passed by learned Motor Accident Claims Tribunal, Rohtak (hereinafter referred to as 'Tribunal') vide which ₹2,16,000/- has been awarded to the claimants to be paid within one month from the passing the Award and in case of default interest @ 12% per annum has been awarded to the claimants.

As per the order dated 19.08.2014 passed by this Court, the present appeal has been dismissed qua respondents No.7 and 8 i.e. owner and driver.

I have heard learned counsel for the appellant and have gone through the record.

Learned counsel for the appellant has argued that the relief in the present appeal has been claimed against owner and driver as the Insurance Company is asking for the recovery rights. Learned counsel for the appellant has not argued anything regarding quantum as in death case, an amount of ₹2,16,000/- has been awarded as per the impugned Award.

As the appellant is asking for the relief against owner of the offending vehicle and the appeal has already been dismissed qua owner as per order dated 19.12.2008 as discussed above, therefore, no relief can be granted to the appellant against owner of the offending vehicle.

Therefore, finding no merit in the present appeal, the same is dismissed.

May 15, 2015
Vgulati

(INDERJIT SINGH)
JUDGE